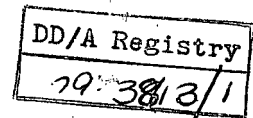


OGC Has Reviewed



MEMORANDUM FOR: General Counsel

FROM: Don I. Wortman
Deputy Director for Administration

SUBJECT: Appeal of Decision in Eudey vs. CIA

1. It is my understanding that the time for appeal in the above case will expire on 26 December 1979. It is also my understanding that the Office of General Counsel feels the case should not be appealed, but I am unclear as to the underlying reasons for not appealing Eudey.

2. We now face a decision in the Wall Street Journal request for a fee waiver in a case which it is estimated will cost us around \$80,000 worth of search time. In light of the Wall Street Journal citation of the Eudey case in its appeal of the denial to waive fees, and given the potential costs involved in similar requests which will undoubtedly cite the Eudey case, I believe it is necessary that the decision not to appeal Eudey be reexamined. The Eudey case may not be the best case on which to file an appeal, but, given the resource implications with respect to other requests, I think it is incumbent upon us to do all we possibly can to prevent the results of the Eudey case from being set in concrete.

Don I. Wortman

AT

C/ISS/DDA [] (14 Dec 79)

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